

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DARRELL PARKS,	:	
	:	Civ. No. 1:14-cv-1268
Petitioner,	:	
	:	
v.	:	
	:	Judge Rambo
M. O'SHAUGHNESSY,	:	
	:	Magistrate Judge Schwab
Respondent.	:	

MEMORANDUM

Before the court is a report and recommendation filed by the magistrate judge (Doc. 9) in which she recommends that Park's petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 be dismissed. The report and recommendation was filed on May 3, 2016, and objections were due on May 20, 2016. On May 23, 2016, Parks filed a motion for an extension of time to file objections and an extension was granted to June 24, 2016. On July 5, 2016, another motion for an extension of time to file objections was granted extending the deadline to August 9, 2016. The order granting the extension advised that no further extensions would be granted. To date, no objections have been filed.

I. Background

At the time of the filing of this action, Parks was incarcerated at USP Lewisburg, Pennsylvania. While there, he was charged with engaging in a sexual act under Section 215 of the BOP's disciplinary code and was found guilty of the

offense after a prison disciplinary proceeding. In his petition, Parks alleges that he was denied due process in the proceeding.

II. Discussion

After a thorough review of the facts and the evidence of the law applicable thereto, the magistrate judge determined that Parks received all the process that was due under *Wolff v. McDonnell*, 418 U.S. 539 (1974), *Superintendent v. Hill*, 472 U.S. 445, 455 (1985), and other case law. She further found that the DHO applied the greater weight of the evidence standard set forth in 28 CFR § 541.8(c) and that there was some evidence to support the DHO's conclusion that Parks had engaged in a sexual act.

III. Conclusion

Based on the foregoing, the report and recommendation will be adopted.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: August 15, 2016